



April 7, 2006

Mr. Bill Brattain  
California Regional Water Quality Control Board  
Central Valley Region  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-6114

Dear Mr. Brattain,

Thank you for the opportunity to comment on the proposed Draft General Waste Discharge Requirements and Monitoring and Reporting Program for Discharges of Green Waste for Composting within the Central Valley Region (GWDR).

While we encourage the development of GWDR for greenwaste composting operations, the current draft order fails to achieve its intended purpose of facilitating efficient and cost effective composting, and we must oppose it in its current form.

As an environmental organization we understand the need for, and indeed advocate for regulations to protect California's natural resources. Regulating the recycling industry requires a balanced approach, keeping in mind the full life cycle of the resources involved and considering the fate of resources in the event regulations become overly burdensome. We believe that the GWDR, in an attempt to protect groundwater, is *unnecessarily* prescriptive, and will result in driving greenwaste from composting facilities into the state's landfills.

Specifically, we are concerned with the stringent requirements relating to slope, composting and storage engineered pads, runoff retention basins, and feedstock limitations. The standards required for these operational components near those required for modern Subtitle D landfills, yet it has not been shown that the threat from greenwaste facilities warrants such restrictions. For a more technical discussion and commentary on the specific requirements please see the letter from Matt Cotton, we share many of his concerns.

It is our understanding that both the previous statewide greenwaste composting "waiver" and the current draft statewide "waiver" rely on performance based standards which take into account site specific characteristics. We continue to believe that in the case of greenwaste composting, this is still the appropriate method of regulation. The threat of greenwaste to groundwater cannot be compared to that from solid waste landfills which regularly receive waste containing toxic constituents.

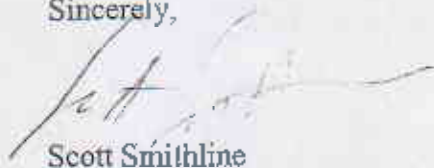
In support of its recommended standards, the GWDR references the potential "threat" to groundwater from greenwaste composting facilities. The basis for this threat is not supported by the GWDR. The single set of data provided comes from a facility with unknown feedstock characteristics, management practices, and environmental conditions.

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The rationale for developing the general order, as stated in the order itself is to "provide an efficient and cost effective means" for the continued diversion of greenwaste through composting while protecting water quality. As a 27 year old non-profit environmental research and advocacy organization focusing on resource conservation and pollution prevention through recycling, we are encouraged to see this as the intended mission of the board. Unfortunately, as written, the order contains a prescriptive regulatory scheme that is neither efficient nor cost efficient. The proposed order is unduly restrictive in relation to the actual (demonstrated) threat, and will end up driving valuable resources away from composting and into the state's landfills.

We encourage you to reconsider the GWDR, and reconsider following the earlier approach of performance based standards based on site specific conditions and management practices. Finally we suggest that prior to taking any further action, you hold a series of public meetings or workshops to share information and receive feedback from interested stakeholders, and other local and state agencies.

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott Smithline", written over a horizontal line.

Scott Smithline